

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

<b>MMICHAEL ALLEN QUIGGLE</b>	:	<b>CIVIL ACTION NO. 1:11-CV-652</b>
	:	
<b>Petitioner</b>	:	<b>(Chief Judge Kane)</b>
	:	<b>(Magistrate Judge Smyser)</b>
<b>v.</b>	:	
	:	
<b>SUPERINTENDENT COLEMAN,</b>	:	
<b>SCI-FAYETTE</b>	:	
	:	
<b>Respondents</b>	:	

**ORDER**

Before the Court in the above-captioned action is a April 26, 2011 report of the Magistrate Judge. No timely objections have been filed.

**AND NOW**, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the report and recommendation of Magistrate Judge Smyser.
- 2) The Petitioner's Petition for Writ of Habeas Corpus (Doc. No. 1) is **DISMISSED** without prejudice.
- 3) The Clerk of Court shall close the file.

S/ Yvette Kane  
YVETTE KANE, Chief Judge  
United States District Court  
Middle District of Pennsylvania

Dated: May 18, 2011